IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

FIRESTAR SOFTWARE, INC.,

               Plaintiff,

v.   Civil Action No. 2:06-CV-258

RED HAT, INC.,   (TJW)
RED HAT MIDDLEWARE LLC,

               Defendants

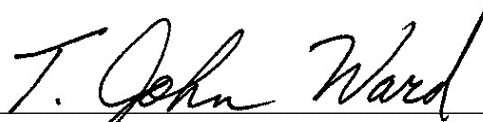## ORDER GRANTING THE JOINT MOTION TO DISMISS

Plaintiff Firestar Software, Inc. and Defendants Red Hat, Inc. and Red Hat Middleware LLC indicated that they have entered into a Settlement Agreement with regard to the parties' claims and counterclaims, respectively, in this action.

Pursuant to their Settlement Agreement, the parties jointly moved for a dismissal of Plaintiff's claims, with prejudice, and Defendants' counterclaims, without prejudice.

The Court hereby GRANTS such motion, and it is ORDERED that Plaintiff's claims are dismissed, with prejudice, and Defendants' counterclaims are dismissed, without prejudice. Each party shall bear its own costs and fees.

SIGNED this 20th day of June, 2008.

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T. JOHN WARD
UNITED STATES DISTRICT JUDGE